

DOCUMENT RESUME

03642 - [A2713913]

[Protest against Failure to Receive Grant]. B-190092. September 22, 1977. 1 pp.

Decision re: All Indian Pueblo Council, Inc.; by Paul G. Dembling, General Counsel.

Issue Area: Federal Procurement of Goods and Services (1900).
Contact: Office of the General Counsel; Procurement Law I.
Budget Function: General Government; Other General Government (806).

Organization Concerned: Office of Education.
Authority: Elementary and Secondary Education Act, title IV (P.L. 92-318). 42 Fed. Reg. 22407. 40 Fed. Reg. 42406.

The protester alleged that it was wrongfully denied award of a grant by the Office of Education. GAO did not consider the protest since it concerned the propriety of a grant award. (Author/SC)

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DECISION



Encl. P.L. #1
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-190092

DATE: September 22, 1977

MATTER OF: All Indian Pueblo Council, Inc.

DIGEST:

General Accounting Office does not consider "protests" concerning propriety of grant awards.

The All Indian Pueblo Council, Inc. (Council), believes that it is being wrongfully denied award of a grant by the Office of Education, Department of Health, Education, and Welfare. The Council indicates that it submitted its grant application in response to a notice in 42 Fed. Reg. 22407 (1977), for funding under the Elementary and Secondary Education Act, Part B of Title IV, Subpart (B), P.L. 92-318.

The General Accounting Office, upon receipt of complaints from prospective contractors, "will undertake reviews concerning the propriety of contract awards made by grantees" pursuant to grants awarded by Federal agencies, in order to "foster compliance with grant terms, agency regulations, and applicable statutory regulations." 40 Fed. Reg. 42406 (1975). However, "[i]t is not the intent of the General Accounting Office to interfere with the functions and responsibilities of grantor agencies in making and administering grants," 40 Fed. Reg. 42406, supra, and for that reason this Office does not consider individual complaints concerning the propriety of a particular grant award.

Accordingly, we must decline to consider this matter.

Paul G. Dembling
Paul G. Dembling
General Counsel